HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 11228 of 2004

Between:

Dr. C. Srinivas & others

... Petitioners

And

The Commissioner,
Tadepalligudem Municipality.

... Respondent

:: O R D E R ::

Counsel for the petitioners : None

Counsel for the respondent : Shri S. Nageswara Reddy

August 23, 2007

Per G.S. SINGHVI, CJ

This petition is directed against notice dated 09.06.2004 issued by Commissioner, Tadepalligudem Municipality under Sections 359, 360 and 361 of the Andhra Pradesh Municipalities Act, 1965.

At the hearing, Shri S. Nageswara Reddy, learned counsel for the respondent fairly stated that in view of order dated 14.06.2004 passed in Writ Petition No. 19510 of 2004, this petition may also be disposed of in similar terms.

In view of the fair stand taken by the learned counsel for the respondent, the writ petition is allowed. The impugned notice is quashed. However, it is made clear that the competent authority of Tadepalligudem Municipality shall be free to take appropriate action

for removing the alleged unauthorized construction made by the writ petitioners.

As a sequel to disposal of the writ petition, interim order dated 24.08.2004 is vacated, W.P.M.P.No.14266 of 2004 is dismissed and W.V.M.P.No.3443 of 2004 is disposed of as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 23, 2007
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